

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

In re:
ZETIA (EZETIMIBE) ANTITRUST
LITIGATION

MDL No. 2:18-md-2836

THIS DOCUMENT RELATES TO:
ALL DIRECT PURCHASER CASES

**MOTION TO SEAL PORTIONS OF MERCK'S RESPONSE TO DIRECT PURCHASER
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION FOR PURPOSES OF
SETTLEMENT WITH PAR PHARMACEUTICAL, INC., AND PRELIMINARY
APPROVAL OF PROPOSED SETTLEMENT**

Defendants Merck & Co., Inc., Merck Sharp & Dohme Corp., Schering-Plough Corp., Schering Corp., and MSP Singapore Co. LLC (collectively, "Merck"), by their undersigned counsel, hereby move this Court for leave to file under seal portions of Merck's Response to Direct Purchaser Plaintiffs' Motion For Class Certification For Purposes of Settlement With Par Pharmaceutical, Inc., and Preliminary Approval of Proposed Settlement. The grounds and authorities in support of this Motion are set forth in detail in the Memorandum in Support of the Motion to Seal, filed this same day. A Proposed Order is attached as **Exhibit 1**.

Dated: July 29, 2019

Respectfully submitted,

/s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 W. Main Street, Suite 2100
Norfolk, VA 23510-1665
Telephone: (757) 624-3239
Facsimile: (888) 360-9092

senoona@kaufcan.com

Samuel G. Liversidge (*pro hac vice*)
Christopher D. Dusseault (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: (213) 229-7855
Facsimile: (213) 229-6855
SLiversidge@gibsondunn.com
CDusseault@gibsondunn.com

Veronica S. Lewis (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
2100 McKinney Avenue
Dallas, TX 75201-6912
Telephone: (214) 698-3320
Facsimile: (214) 571-2936
VLewis@gibsondunn.com

Eric J. Stock (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 351-2301
Facsimile: (212) 716-0801
estock@gibsondunn.com

Tarek Ismail (*pro hac vice*)
Jennifer L. Greenblatt (*pro hac vice*)
GOLDMAN ISMAIL TOMASELLI BRENNAN & BAUM
LLP
564 West Randolph Street, Suite 400
Chicago, IL 60661
Telephone: (312) 681-6000
Facsimile: (312) 881-5191
tismail@goldmanismail.com
jgreenblatt@goldmanismail.com
*Counsel for Defendants Merck & Co., Inc.; Merck
Sharp & Dohme Corp.; Schering-Plough Corp.;
Schering Corp. and MSP Singapore Co. LLC*

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2019 , I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send an email notification of such filing to all counsel of record who have filed an appearance.

Dated: July 29, 2019

/s/ Stephen E. Noona
Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 W. Main Street, Suite 2100
Norfolk, VA 23510-1665
Telephone: (757) 624-3239
Facsimile: (888) 360-9092
senoona@kaufcan.com

*Counsel for Defendants Merck & Co., Inc.; Merck
Sharp & Dohme Corp.; Schering-Plough Corp.;
Schering Corp. and MSP Singapore Co. LLC*